



Atty. Docket No.: 17633/1230

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Habener et al
Serial No.: 09/731,261
Filed: 12/6/00
Entitled: Stem Cells of the Islets of Langerhans
and Their Use in Treating Diabetes
Mellitus

Examiner:

Group Art Unit:

CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.10

I hereby certify that the paper (and any paper or fee referred to as being enclosed) is being deposited with the United States Postal Service using Express Mail to Addressee Service, under 37 C.F.R. Section 1.10, **Express Mail Label No. EL591998260US** on this date, **April 23, 2001**, postage prepaid, in an envelope addressed to Box: Missing Parts, Commissioner for Patents, Washington, D.C. 20231.

Mark J. Fitzgerald

Name of Person Mailing Paper



Signature of Person Mailing Paper

Box: Missing Parts
Commissioner for Patents
Washington, D.C. 20231

TRANSMITTAL LETTER

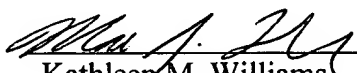
Enclosed for filing in the above-identified patent application, please find the following documents:

1. Response to Notice to File Missing Parts mailed January 22, 2001;
2. Copy of Notice to File Missing Parts- Part 2;
3. Petition for one month Extension of Time;
4. Executed Declaration and Power of Attorney;
5. Copy of Check # 020149 in the amount of \$1128.00 for the requisite fee; and
6. Return Post Card.

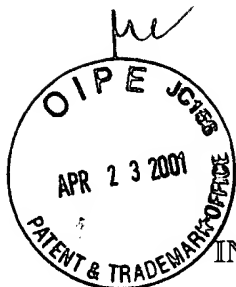
The Commissioner for Patents is hereby authorized to charge any additional fees or credit any overpayment in the total fees to Deposit Account No. 16-0085, Reference No. 17633/1230. A duplicate of this transmittal letter is enclosed for this purpose.

Respectfully submitted,

Date: April 23, 2001


Kathleen M. Williams
Registration No.: 34,380
Palmer & Dodge LLP
One Beacon Street
Boston, MA 02108

Mark J. Fitzgerald
Reg. No. 45,928
Serving for Kathleen Williams



0420 #5
4-25-01 sect

Atty. Docket No.: 17633/1230

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Habener et al
Serial No.: 09/731,261
Filed: 12/6/00
Entitled: Stem Cells of the Islets of
Langerhans and Their Use in
Treating Diabetes Mellitus

Examiner:

Group Art Unit:

CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.10

I hereby certify that the paper (and any paper or fee referred to as being enclosed) is being deposited with the United States Postal Service using Express Mail to Addressee Service, under 37 C.F.R. Section 1.10, **Express Mail Label** No. **EL591998260US** on this date, **April 23, 2001**, postage prepaid, in an envelope addressed to Box: Missing Parts, Commissioner for Patents, Washington, D.C. 20231

Mark J. Fitzgerald

Name of Person Mailing Paper


Signature of Person Mailing Paper

Box: Missing Parts
Commissioner for Patents
Washington, D.C. 20231

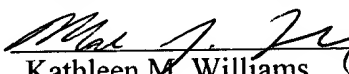
RESPONSE TO NOTICE TO FILE MISSING PARTS

Dear Sir:

In response to Notice To File Missing Parts of Application mailed January 22, 2001 in the above-referenced patent application, please note that this response was accidentally filed on April 11, 2001 with the wrong Serial No.(09/761,261). A copy of the response as filed on April 11, 2001 in Serial No. of 09/761,261 is enclosed. This Response is being re-sent with the correct Serial No. and a copy of the check so this present application can be credited accordingly. Therefore, please find enclosed an Executed Declaration and Power of Attorney Form, a Copy of Notice to File Missing Parts- Part 2, a Petition for Extension of Time to file Response and a copy of check # 020149 Filed on April 11, 2001 in the amount of \$1128.00 as required by 37 C.F.R. 1.51(c)(1), for the surcharge of late filing basic filing fee and one month extension of time.

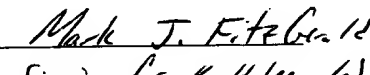
Respectfully submitted,

Date: April 23, 2001


Kathleen M. Williams
Registration No.: 34,380
Palmer & Dodge LLP

One Beacon Street

Boston, MA 02108 Tel: 617-573-0100


Mark J. Fitzgerald
Signed for Kathleen Williams,
(Reg. No. 45,928)



Wrong Serial # - Should have been
filed w/ # 09/731,261

Atty. Docket No.: 17633/1230

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Habener et al.
Serial No.: 09/761,261
Filed: 12/6/00
Entitled: Stem Cells of the Islets of
Langerhans and Their Use in Treating
Diabetes Mellitus

Examiner:

Group Art Unit:

CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8a

I hereby certify that this correspondence (and any paper or fee referred to as being enclosed) is being deposited with the United States Post Office as First Class Mail on the date indicated below in an envelope addressed to Commissioner for Patents, Washington, D.C. 20231.

Kathleen M. Williams

Name of Person Mailing Paper

Signature of Person Mailing Paper

Box: Missing Parts
Commissioner for Patents
Washington, D.C. 20231

TRANSMITTAL LETTER

Enclosed for filing in the above-identified patent application, please find the following documents:

1. Response to Notice to File Missing Parts mailed January 22, 2001;
2. Copy of Notice to File Missing Parts- Part 2;
3. Petition for one month Extension of Time;
4. Executed Declaration and Power of Attorney;
5. Check in the amount of \$1128.00 for the requisite fee; and
6. Return Post Card.

The Commissioner for Patents is hereby authorized to charge any additional fees or credit any overpayment in the total fees to Deposit Account No. 16-0085, Reference No. 17633/1230.
A duplicate of this transmittal letter is enclosed for this purpose.

Respectfully submitted,

Date:

4/11/01

Kathleen M. Williams

Registration No.: 34,380

Palmer & Dodge LLP

One Beacon Street

Boston, MA 02108

Tel: 617-573-0100



Atty. Docket No.: 17633/1230

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Habener et al
Serial No.: ~~09/761,261~~ 09/731,261
Filed: 12/6/00
Entitled: Stem Cells of the Islets of
Langerhans and Their Use in
Treating Diabetes Mellitus

Examiner:

Group Art Unit:

CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8a

I hereby certify that this correspondence (and any paper or fee referred to as being enclosed) is being deposited with the United States Post Office as First Class Mail on the date indicated below in an envelope addressed to Commissioner for Patents, Washington, D.C. 20231.

Kathleen M. Williams

Name of Person Mailing Paper


Signature of Person Mailing Paper

Box: Missing Parts
Commissioner for Patents
Washington, D.C. 20231

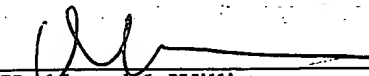
RESPONSE TO NOTICE TO FILE MISSING PARTS

Dear Sir:

In response to Notice To File Missing Parts of Application mailed January 22, 2001 in the above-referenced patent application, please find enclosed an Executed Declaration and Power of Attorney Form, a Copy of Notice to File Missing Parts- Part 2, a Petition for Extension of Time to file Response and a check in the amount of \$1128.00 as required by 37 C.F.R. 1.51(c)(1), for the surcharge of late filing; basic filing fee; and one month extension of time.

Respectfully submitted,

Date: 4/11/01


Kathleen M. Williams

Registration No.: 34,380

Palmer & Dodge LLP

One Beacon Street

Boston, MA 02108

Tel: 617-573-0100



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/731,261	12/06/2000	Joel E. Habener	17633/1230

CONFIRMATION NO. 9060

Docketed *Lebr*

FORMALITIES LETTER

Kathleen M. Williams, Ph.D.
Palmer & Dodge, LLP
One Beacon Street
Boston, MA 02108

Response due *Resp to NFP*Summary Period *3/22/01 (7/22/01)*

Palmer & Dodge, LLP
Patent Department



Date Mailed: 01/22/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

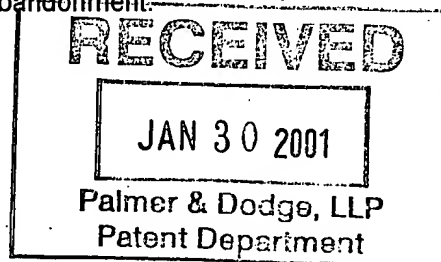
An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 355 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).
- Total additional claim fee(s) for this application is \$653.
 - ◻ \$198 for 22 total claims over 20.
 - ◻ \$320 for 8 independent claims over 3.
 - ◻ \$135 for multiple dependent claim surcharge.
- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 1073.

The application is informal since it does not comply with the regulations for the reason(s) indicated below. Applicant is given TWO MONTHS from the date of this Notice within which to correct the informalities indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:





PALMER & DODGE LLP

04/10/01 No. 020149

PALMER & DODGE LLP

ONE BEACON STREET, BOSTON, MA 02108-3190

No. 020149 52-153
112

Date 04/10/01

PAY **EXACTLY*****1128* DOLLARS AND *00*CENTS

\$ 1,128.00

TO
THE
ORDER
OF
COMMISSIONER OF PATENTS

PALMER & DODGE LLP

Fleet Bank
Fleet Maine N.A.
South Portland, ME

AUTH. SIG.

⑈020149⑈ ⑆011201539⑆ ⑈80 057 209⑈

01/731,261

Serial No. 041-761-261 File No. 17633/1230 By: (MBW)

Applicant(s): Habinek, et al.

Title: SKM cells of the ISlet of Langerhans & their use in treatment of diabetes

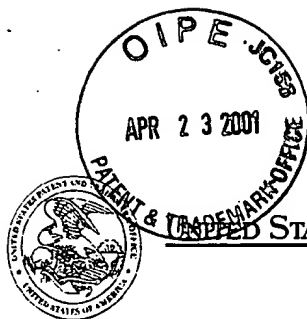
The Following, DUE _____ in the USPTO, was received by the PTO Mail Room on the date stamped hereon

- | | |
|---|---|
| <input type="checkbox"/> Cert. of Mailing by Express Mail (37 CFR 1.10)
Express Mail Label No. _____ | <input type="checkbox"/> Response to Notice to File Missing Parts
Copy of Part 2 of NFMP |
| <input type="checkbox"/> Cert. of Mailing under 37 CFR 1.8(a)
Patent Application (____ total pgs) | <input type="checkbox"/> Diskette Containing Nucleotide and/or
Amino Acid Sequence Listing |
| <input type="checkbox"/> Provisional or <input type="checkbox"/> Non-Provisional
(____ pgs) Specification, (____ pgs) Abstract,
(____ pgs) Claims (____ # claims) | <input type="checkbox"/> Statement under 37CFR § 1.821 (f) and/or
Priority Document(s) # _____ |
| <input type="checkbox"/> New Patent Application Transmittal | <input type="checkbox"/> Amendment/Response |
| <input type="checkbox"/> Provisional Patent Application Cover Sheet | <input type="checkbox"/> Amendment Transmittal |
| <input type="checkbox"/> Declaration and Power of Attorney <u>attached</u> | <input type="checkbox"/> Petition for Extension of Time (x2) |
| <input type="checkbox"/> Drawings _____ Sheet(s) (FIGS. _____) | <input type="checkbox"/> Check in the amount of <u>11280.00</u>
Check # <u>020149</u> |
| <input type="checkbox"/> [] Formal or [] Informal | <input type="checkbox"/> Letter to Official Draftsman |
| <input type="checkbox"/> Assignment of _____ | <input type="checkbox"/> Motion/Opposition/Reply |
| <input type="checkbox"/> Recordation Cover Sheet Form PTO-1595 | <input type="checkbox"/> Request for Cont'd Examination (RCE) |
| <input type="checkbox"/> Information Disclosure Statement | <input type="checkbox"/> Notice of Appeal |
| <input type="checkbox"/> Form PTO 1449 and Copies of Cited References | <input type="checkbox"/> Issue Fee Transmittal |
| <input type="checkbox"/> Oath or Declaration of _____ | <input type="checkbox"/> Transmittal Letter (x2) |

[] Other _____

MAILED 4/12/01

COPY



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/731,261	12/06/2000	Joel E. Habener	17633/1230

CONFIRMATION NO. 9060

Docketed *Lebr*

FORMALITIES LETTER

Kathleen M. Williams, Ph.D.
Palmer & Dodge, LLP
One Beacon Street
Boston, MA 02108

Response due *Resp to NFP*Statutory Period *3/22/01 (7/22/01)*

Palmer & Dodge, LLP
Patent Department



Date Mailed: 01/22/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

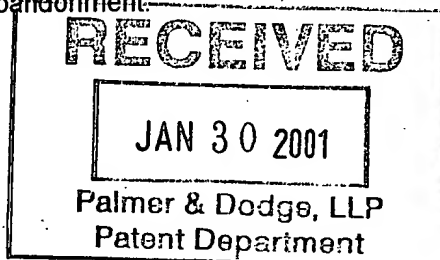
An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- o The statutory basic filing fee is missing.
Applicant must submit \$ 355 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).
- o Total additional claim fee(s) for this application is \$653.
 - \$198 for 22 total claims over 20.
 - \$320 for 8 independent claims over 3.
 - \$135 for multiple dependent claim surcharge.
- o The oath or declaration is unsigned.
- o To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- o The balance due by applicant is \$ 1073.

The application is informal since it does not comply with the regulations for the reason(s) indicated below. Applicant is given TWO MONTHS from the date of this Notice within which to correct the informalities indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- o Substitute drawings in compliance with 37 CFR 1.84 because:





COPY

04/10/01 No. 020149

PALMER & DODGE LLP

PALMER & DODGE LLP
ONE BEACON STREET, BOSTON, MA 02108-3190

No. 020149 52-153
112
Date 04/10/01

PAY **EXACTLY*****1128* DOLLARS AND *00*CENTS

\$ 1,128.00

TO
THE
ORDER
OF
COMMISSIONER OF PATENTS

PALMER & DODGE LLP

Fleet Bank
Fleet Maine N.A.
South Portland, ME

AUTH. SIG.

⑈020149⑈ ⑈011201539⑈ ⑈80 057 209⑈

Serial No. 091 761 261 File No. 17633/1230 By: (MBW) K.W.

Applicant(s): Habener, et al.
Title: SKM cells of the Islet of Langerhans & their use in Transplantation
The Following, DUE in the USPTO, was received by the PTO Mail Room on the date stamped hereon:

- | | |
|--|---|
| <input type="checkbox"/> Cert. of Mailing by Express Mail (37 CFR 1.10)
Express Mail Label No. _____ | <input type="checkbox"/> Response to Notice to File Missing Parts |
| <input type="checkbox"/> Cert. of Mailing under 37 CFR 1.8(a)
Patent Application (_____) total pgs) | <input type="checkbox"/> Copy of Part 2 of NFMP |
| <input type="checkbox"/> Provisional or <input type="checkbox"/> Non-Provisional
(_____) pgs) Specification, (_____) pgs) Abstract,
(_____) Claims (_____) # claims) | <input type="checkbox"/> Diskette Containing Nucleotide and/or
Amino Acid Sequence Listing |
| <input type="checkbox"/> New Patent Application Transmittal | <input type="checkbox"/> Statement under 37CFR § 1.821 (f) and/or
Priority Document(s) # _____ |
| <input type="checkbox"/> Provisional Patent Application Cover Sheet | <input type="checkbox"/> Amendment/Response |
| <input type="checkbox"/> Declaration and Power of Attorney 280412 | <input type="checkbox"/> Amendment Transmittal |
| <input type="checkbox"/> Drawings _____ Sheet(s) (FIGS. _____) | <input type="checkbox"/> Petition for Extension of Time (x2) |
| <input type="checkbox"/> [] Formal or [] Informal | <input type="checkbox"/> Check in the amount of 11280.00
Check # 020149 |
| <input type="checkbox"/> Assignment of _____ | <input type="checkbox"/> Letter to Official Draftsman |
| <input type="checkbox"/> Recordation Cover Sheet Form PTO-1595 | <input type="checkbox"/> Motion/Opposition/Reply |
| <input type="checkbox"/> Information Disclosure Statement | <input type="checkbox"/> Request for Cont'd Examination (RCE) |
| <input type="checkbox"/> Form PTO 1449 and Copies of Cited References | <input type="checkbox"/> Notice of Appeal |
| <input type="checkbox"/> Oath or Declaration of _____ | <input type="checkbox"/> Issue Fee Transmittal |
| | <input type="checkbox"/> Transmittal Letter (x2) |

[] Other _____

MAILED 4/12/01